

BILLY JOE FRANKLIN, III,

Plaintiff,

vs.

LINCOLN COUNTY SHERIFF,
et al.,

Defendants.

THIS MATTER is before the Court sua sponte on review of the docket in this matter.

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Fed. R. Civ. P. 4(m). [Doc. 14]. The Court also ordered Plaintiff to notify the Court of his new address within 14 days after mail from the Court was returned as undeliverable, [Docs. 12, 13], and advised Plaintiff that the Court would dismiss this action without prejudice for his failure to do so. [Doc. 14].

In response, Plaintiff moved for an extension of time to serve Defendants and for appointment of counsel. [Doc. 15]. The Court allowed Plaintiff 30 days from August 26, 2021 to provide completed summonses to the Court as ordered in Docket No. 9 and denied Plaintiff's motion for counsel. [Doc. 16]. More than 30 days have passed, and Plaintiff has not provided the required summonses. The Court will, therefore, dismiss this action without prejudice for failure to timely serve Defendants under Rule 4(m).


ORDER

IT IS, THEREFORE, ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

The Clerk is instructed to terminate these proceedings.

IT IS SO ORDERED.

Signed: October 26, 2021



Martin Reidinger
Chief United States District Judge

